

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40864 of 2026

Arising Out of PS. Case No.-331 Year-2025 Thana- PIPRA District- East Champaran

1. Ehsan Alam Son of Late Karmullah Sah Resident of village - Kanth Chhapra, P.S.- Pipra, District - East Champaran.
2. Shamser Sah Son of Jainullah Sah @ Jainul Sah Resident of village - Kanth Chhapra, P.S.- Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026

Heard the parties.

2. Both petitioners are named in the F.I.R. and apprehending their arrest in connection with Pipra P.S. Case No. 331/2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 118, 303(2), 76, 352, 351(2) and 3(5) of the BNS.

3. The allegation against both the petitioners is to assault informant and other and also to outrage the modesty of informant during the course of occurrence.

4. It is submitted by learned counsel appearing on behalf of the petitioners that allegation *qua* causing physical assault is appearing very much general and omnibus in nature. It is submitted that from the facial perusal of FIR, it can be safely gathered that ingredient of sexual intent is absent rather occurrence is free fight in nature, where petitioner's side also received injury for which a



separate case was lodged, which has been registered as Pipra P.S. Case No. 335/2025. It is also submitted that none of the injured persons received grievous injury during the occurrence. Petitioners claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as allegation *qua* committing physical assault is appearing very much general and omnibus in nature against both these petitioners, where occurrence is free fight in nature, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sadar, Motihari, East Champaran/concerned Court, where the case is pending in connection with Pipra P.S. Case No. 331/2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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